

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Datta, et al.
Application No.: 10/648,184
Filing Date: August 25, 2003
Group Art Unit: 1794
Confirmation No.: 5153
Examiner: Hoa T. Le
For: Synthetic Microspheres and Methods of Making Same

VIA EFS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT OF SUBSTANCE OF INTERVIEW
UNDER 37 C.F.R § 1.133**

Dear Sir:

Applicants submit this Statement of Substance of Interview in accordance with 37 C.F.R § 1.133 to be made of record for the above-identified application for patent. Applicants respectfully request entry of the statement as set forth herein.

Applicants' representative thank the Examiner for participating in a telephone interview held April 9, 2009, and for working with them so diligently. In the interview, the substance of an Advisory Action mailed February 26, 2009, and the facts therein were discussed.

It was agreed by the Examiner and Applicants' representatives that the filing of a terminal disclaimer was not required. Applicants agreed to cancel Claims 28-33 in order to

Attorney Docket No. 129843-1099
Customer No. 60148

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proceed to allowance of the application for patent. The Examiner stated that a Notice of Allowance would be forthcoming.

This is intended to be a written statement as to the substance of a telephone interview held April 9, 2009, to be made of record in the application for patent.

Please direct all correspondence to the practitioner listed below at Customer No. 60148.

Respectfully submitted,

Gardere Wynne Sewell LLP

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Dated: May 11, 2009